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EXAMINER

ABELSON, RONALD B

ART UNIT PAPER NUMBER

2666

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/929,030

Applicant(s)

GARAHI ET AL.

Examiner

Ronald Abelson

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2005 and 24 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16, 19 and 22-26 is/are rejected.
- 7) ☒ Claim(s) 17, 18, 20 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. <u>10/17/05</u> . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/21/05</u> . | 6) <input type="checkbox"/> Other: _____.  |

Art Unit: 2666

***Specification***

1. The disclosure is objected to because of the following informalities: on page 12, "Attorney Docket No. 41743" must be removed.

Appropriate correction is required.

***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show element 144 'microwave backhaul' as described in the specification on page 12. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the

Art Unit: 2666

several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### **Remarks**

3. *Note, in this office action, the examiner corresponds the applicant's "wireless backhaul" with a wireless link.*

#### **Double Patenting**

4. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA

Art Unit: 2666

1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

5. Claims 15 and 16 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 7 of copending Application No. 10/218,638. Although the conflicting claims are not identical, they are not patentably distinct from each other.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claims 15 and 16 of the instant application merely broadens the scope of the claims 1 and 7 respectively of the Patent by eliminating the elements and their functions of the claims. It has been held that the omission an element and its function is an obvious expedient if the remaining elements perform the same function as before. *In re Karlson*, 136 USPQ 184 (CCPA). Also note *Ex parte Rainu*, 168 USPQ 375 (Bd.App.1969);

Art Unit: 2666

omission of a reference element whose function is not needed would be obvious to one skilled in the art.

6. Claims 1, 2, 8, 9, 19, and 22 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 10/218,638 in view of Dorenbosch (US 20020118663).

This is a provisional obviousness-type double patenting rejection.

Regarding claims 1, 2, 8, 9, 19, and 22, 10/218,638 claim 1 teaches all the limitations of the claims except providing the mobile wireless user terminal with access to the network while the mobile access point is moving.

Dorenbosch teaches providing the mobile wireless user terminal (fig. 1 box 202, laptop computer, [0016]) with access to the network while the mobile access point (fig. 1 box 100) is moving (mobile wireless router roams, [0011]).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of 10/218,638 claim 1 by replacing the mobile access point with the mobile wireless router of Dorenbosch (fig. 1 box 100). This modification would

Art Unit: 2666

benefit the system by facilitating a connection between the wireless user and the network while the mobile access point is moving. This would allow for the mobile access point to remain operable while it is moving to a more optimal location.

Regarding claim 22, the combination of 10/218,638 claim 1 and Dorenbosch is silent on establishing a second communications link between said mobile access point and another said fixed access point via another wireless backhaul, such that said second communications link provides another wireless user terminal access to said network via said another fixed access point while said mobile access point is moving.

Dorenbosch teaches establishing a second communications link between said mobile access point and another said fixed access point via another wireless backhaul, such that said second communications link provides another wireless user terminal access to said network via said another fixed access point while said mobile access point is moving (mobile wireless router roams into a new network, [0011]). Note, the examiner corresponds the applicant's another said fixed access point with the fixed access point in Dorenbosch associated with the new network.

Therefore it would have been obvious to one of ordinary

Art Unit: 2666

skill in the art, to modify the system of the combination of 10/218,638 claim 1 and Dorenbosch by having the mobile wireless router establish a connection with a new fixed access point when the mobile wireless router roams into a new network. This modification can be performed according to the teachings of Dorenbosch. This modification would benefit the system by facilitating a connection between the mobile wireless router and the network while the mobile wireless router is moving. This would allow for the mobile wireless router to remain operable while it is moving to a more optimal location.

7. Claims 3, 10, and 23, and 25 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 7 of copending Application No. 10/218,638 in view of Dorenbosch (US 20020118663).

This is a provisional obviousness-type double patenting rejection.

Regarding claims 3, 10, 23, 25, 10/218,638 claim 7 teaches all the limitations of the claims except providing the mobile wireless user terminal with access to the network while the mobile access point is moving.



Art Unit: 2666

Dorenbosch teaches providing the mobile wireless user terminal (fig. 1 box 202, laptop computer, [0016]) with access to the network while the mobile access point (fig. 1 box 100) is moving (mobile wireless router roams, [0011]).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of 10/218,638 claim 7 by replacing the mobile access point with the mobile wireless router of Dorenbosch (fig. 1 box 100). This modification would benefit the system by facilitating a connection between the wireless user and the network while the mobile access point is moving. This would allow for the mobile access point to remain operable while it is moving to a more optimal location.

8. Claims 4, 11, 24, and 26 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 5 of copending Application No. 10/218,638 in view of Dorenbosch (US 20020118663).

This is a provisional obviousness-type double patenting rejection.

Regarding claims 4, 11, 24, and 26, 10/218,638 claim 5 teaches all the limitations of the claims except providing the

Art Unit: 2666

mobile wireless user terminal with access to the network while the mobile access point is moving.

Dorenbosch teaches providing the mobile wireless user terminal (fig. 1 box 202, laptop computer, [0016]) with access to the network while the mobile access point (fig. 1 box 100) is moving (mobile wireless router roams, [0011]).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of 10/218,638 claim 5 by replacing the mobile access point with the mobile wireless router of Dorenbosch (fig. 1 box 100). This modification would benefit the system by facilitating a connection between the wireless user and the network while the mobile access point is moving. This would allow for the mobile access point to remain operable while it is moving to a more optimal location.

9. Claims 6, 7, 13, and 14 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the combination of claim 1 of copending Application No. 10/218,638 and Dorenbosch (US 20020118663), and further in view Beason (US 6,373,430).

This is a provisional obviousness-type double patenting rejection.

Regarding claims 6, 7, 13, and 14, claim 1 of 10/218,638 teaches all the limitations of the claims except providing the mobile wireless user terminal with access to the network while the mobile access point is moving.

Dorenbosch teaches providing the mobile wireless user terminal (fig. 1 box 202, laptop computer, [0016]) with access to the network while the mobile access point (fig. 1 box 100) is moving (mobile wireless router roams, [0011]).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of 10/218,638 claim 1 by replacing the mobile access point with the mobile wireless router of Dorenbosch (fig. 1 box 100). This modification would benefit the system by facilitating a connection between the wireless user and the network while the mobile access point is moving. This would allow for the mobile access point to remain operable while it is moving to a more optimal location.

The combination of claim 1 of copending Application No. 10/218,638 and Dorenbosch fails to teach a mobile access point comprising a location determiner, as specified in claims 6 and 13; and the location determiner includes GPS, as specified in claims 7 and 14.

Beason teaches a GPS location determiner for a mobile transceiver (fig. 1, col. 2 lines 43-48).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of the combination by incorporating within the movable cell of Dorenbosch (fig. 1 box 100) a GPS device. This would improve the system by providing a means to inform the network of the current location of the movable cell.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to

Art Unit: 2666

point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

12. Claims 1, 5, 8, 12, 19, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorenbosch (US 20020118663) in view of Roberts (US 4,873,711).

Regarding claims 1 and 8, Dorenbosch teaches a mobile access point (fig. 1 box 100, [0008]) adapted for use with a packet switched communications network (fig. 2 channel 206, box 216, wireless packet data channel, [0008], [0011]) comprising at least one fixed access point (fig. 2 box 208, conventional base station, [0016]), to provide a mobile wireless user terminal (fig. 2 box 202, laptop computer, [0016]) with access to the network while said mobile access point is moving (mobile wireless router roams, [0011]).

Dorenbosch teaches the mobile access point comprises at least one transceiver, adapted to transmit and receive communications signals to and from said wireless user terminal (fig. 1 box 102, 108, [0009]), and including a wireless backhaul

Art Unit: 2666

/ link, adapted to communicate with said fixed access point (fig. 2 channel 206, [0008]), to enable said at least one transceiver to operate as a communications link between said wireless user terminal and said fixed access point (fig. 1 box 102, fig. 2 channel 206, wireless transceiver for 102 accessing wireless packet data channel 206, [0008]), to provide said wireless user terminal with access to said network via said communication link while said mobile access point is moving (mobile wireless router roams, [0011]).

Although Dorenbosch teaches a mobile access point (fig. 1 element 100) comprising a first and second transceiver (fig. 1 box 102, 108), the reference is silent of a structure adapted to house at least one transceiver, and being adapted to mount on or in a mobile vehicle.

Roberts teaches a first and second transceiver being mounted on or in a mobile vehicle (fig. 2 box 11, 51, col. 3 lines 45-49).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of Dorenbosch by mounting the mobile wireless router (fig. 1 element 100) inside a vehicle. This can be accomplished according to the teachings of Roberts. This would improve the system by providing a means for

Art Unit: 2666

moving the mobile wireless router among different locations the mobile wireless router among different locations.

Regarding claims 5 and 12, transceiver is further adapted to provide a second communications link with another mobile access point adapted for use with the network (fig. 1 box 108, fig. 3 box 100', 310, mobile wireless router includes second wireless transceiver for connecting with a second mobile wireless router 100', [0008])).

Regarding claim 19, the mobile access point comprises a plurality of transceivers (Dorenbosch: fig. 2 box 102, 108), each comprising a respective wireless backhaul (fig. 3 link 206, see also wireless link to box 310, [0008]) and being adapted to communicate with at least one of said fixed access points via its respective wireless backhaul (fig. 3 box 208, 310, conventional base station, [0016])).

Regarding claim 22, establishing a second communications link between said mobile access point and another said fixed access point (fig. 3 box 310) via another wireless backhaul (fig. 1 box 108, fig. 3: see wireless connection between boxes

Art Unit: 2666

100 and 310, mobile wireless router includes second wireless transceiver for connecting with a second mobile wireless router 100', [0008]), such that second communication link provides another wireless user terminal (fig. 3 box 202, laptop computer, [0016]) access to said network (fig. 3 box 216) via said another fixed access point while said mobile access point is moving (mobile wireless router roams, [0011]). Note, only one wireless terminal 202 shown in figure 3.

13. Claims 15, 16, 23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorenbosch (US 20020118663) in view of Roberts (US 4,873,711), and further in view of Phillips (US 4,972,455).

Regarding claims 15, 16, 23, and 25, Dorenbosch teaches a mobile access point (fig. 1 box 100, [0008]) adapted for use with a packet switched communications network (fig. 2 channel 206, box 216, wireless packet data, channel, [0008]) comprising at least one fixed access point (fig. 2 box 208, conventional base station, [0016]), to provide a mobile wireless user terminal (fig. 2 box 202, laptop computer, [0016]) with access to the network



Dorenbosch teaches the mobile access point comprises at least one transceiver, adapted to transmit and receive communications signals to and from said wireless user terminal (fig. 1 box 102, 108, [0009]), and to operate as a communications link between said wireless user terminal and said fixed access point (fig. 1 box 102, fig. 2 channel 206, wireless transceiver for 102 accessing wireless packet data channel 206, [0008]), to provide said wireless user terminal with access to said network via said communication link.

Regarding claims 23 and 25, in addition to the limitations previously addressed, transmitting and receiving communications signals between said mobile access terminal and said wireless user terminal while said mobile access point is moving (mobile wireless router roams, [0011]).

Although Dorenbosch teaches a mobile access point (fig. 1 element 100) comprising a first and second transceiver (fig. 1 box 102, 108), the reference is silent of a structure adapted to house at least one transceiver, and being adapted to mount on or in a mobile vehicle.

Roberts teaches a first and second transceiver being mounted on or in a mobile vehicle (fig. 2 box 11, 51, col. 3 lines 45-49).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of Dorenbosch by mounting the mobile wireless router (fig. 1 element 100) inside a vehicle. This can be accomplished according to the teachings of Roberts. This would improve the system by providing a means for moving the mobile wireless router among different locations the mobile wireless router among different locations.

The combination is silent on a power connection, adapted to couple to a substantially constant power supply of said vehicle, to provide substantially constant power to said transceiver.

Phillips teaches a power connection, adapted to couple to a substantially constant power supply of said vehicle, to provide substantially constant power to said transceiver (fig. 1: transceiver 100, fig. 2 signal 917, 5 V and switched 9.5 V power supplies, col. 4 lines 22-27).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of the combination of Dorenbosch and Roberts by connecting the transceivers to the vehicle's power supply. This modification can be performed

Art Unit: 2666

according to the teachings of Phillips. This modification would benefit the system by allowing the transceivers to be powered by the vehicle. Therefore, an additional source, other than the vehicle's battery, would not be needed.

14. Claims 2, 3, 9, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Dorenbosch and Roberts as applied to claims 1, 8 above, and further in view of Phillips (US 4,972,455).

Regarding claim 2 and 9, the combination is silent on a power connection, adapted to couple to a substantially constant power supply, to provide substantially constant power to said transceiver.

Phillips teaches a power connection, adapted to couple to a substantially constant power supply, to provide substantially constant power to said transceiver (fig. 1: transceiver 100, fig. 2 signal 917, 5 V and switched 9.5 V power supplies, col. 4 lines 22-27).

Regarding claims 3 and 10, the combination is silent on the power connection is adapted to the substantially constant power supply of the vehicle.

Phillips teaches the power connection is adapted to the substantially constant power supply of the vehicle (fig. 1: transceiver 100, fig. 2 signal 917, 5 V and switched 9.5 V power supplies, col. 4 lines 22-27).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of the combination of Dorenbosch and Roberts by connecting the transceivers to the vehicle's power supply. This modification can be performed according to the teachings of Phillips. This modification would benefit the system by allowing the transceivers to be powered by the vehicle. Therefore, an additional source, other than the vehicle's battery, would not be needed.

15. Claims 6, 7, 13, and 14 rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Dorenbosch and Roberts as applied to claims 1 and 8 above, and further in view of Beason (US 6,373,430).

The combination of Dorenbosch and Roberts fails to teach a mobile access point comprising a location determiner, as specified in claims 6 and 13; and the location determiner includes GPS, as specified in claims 7 and 14.

Beason teaches a GPS location determiner for a mobile transceiver (fig. 1, col. 2 lines 43-48).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of the combination of Dorenbosch and Roberts by incorporating within the movable cell of Dorenbosch (fig. 1 box 100) a GPS device. This would improve the system by providing a means to inform the network of the current location of the movable cell.

16. Claims 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorenbosch in view of Roberts and further in view of Barany (US 6,839,356).

Regarding claims 24 and 26, Dorenbosch teaches a mobile access point (fig. 1 box 100, [0008]) adapted for use with a packet switched communications network (fig. 2 channel 206, box 216, wireless packet data, channel, [0008]) comprising at least one fixed access point (fig. 2 box 208, conventional base station, [0016]), to provide a mobile wireless user terminal (fig. 2 box 202, laptop computer, [0016]) with access to the network while said mobile access point is moving (mobile wireless router roams, [0011]).

Dorenbosch teaches the mobile access point comprises at least one transceiver, adapted to transmit and receive

Art Unit: 2666

communications signals to and from said wireless user terminal (fig. 1 box 102, 108, [0009]), and including a wireless backhaul / link, adapted to communicate with said fixed access point (fig. 2 channel 206, [0008]), to enable said at least one transceiver to operate as a communications link between said wireless user terminal and said fixed access point (fig. 1 box 102, fig. 2 channel 206, wireless transceiver for 102 accessing wireless packet data channel 206, [0008]), to provide said wireless user terminal with access to said network via said communication link while said mobile access point is moving (mobile wireless router roams, [0011]).

Dorenbosch teaches the transceiver is further adapted to provide a second communications link (fig. 1 box 108, fig. 3 see link from box 100 to 310, mobile wireless router includes second wireless transceiver for connecting with a second mobile wireless router 100', [0008]).

Although Dorenbosch teaches a mobile access point (fig. 1 element 100) comprising a first and second transceiver (fig. 1 box 102, 108), the reference is silent of a structure adapted to house at least one transceiver, and being adapted to mount on or in a mobile vehicle.

Roberts teaches a first and second transceiver being mounted on or in a mobile vehicle (fig. 2 box 11, 51, col. 3 lines 45-49).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of Dorenbosch by mounting the mobile wireless router (fig. 1 element 100) inside a vehicle. This can be accomplished according to the teachings of Roberts. This would improve the system by providing a means for moving the mobile wireless router among different locations the mobile wireless router among different locations.

Although the combination teaches the transceiver is further adapted to provide a second communications link in an Internet Protocol 'IP' environment (fig. 3 box 216, [0011]), the combination is silent on the transceiver is further adapted to provide a communications link between said user terminal and another user terminal.

Barany teaches communications link between two users in an IP environment (fig. 1, VOIP telephony, col. 6 lines 1-6).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of the combination of

Dorenbosch and Roberts by having the user terminals perform VOIP telephony. Adhering to VOIP standards as taught by Barany can perform this modification. This modification would benefit the system by permitting a real-time voice conversation between two users.

17. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Dorenbosch and Roberts as applied to claims 1 and 8 respectively above, and further in view of Barany.

Although the combination teaches the transceiver is further adapted to provide a second communications link in an Internet Protocol 'IP' environment (fig. 3 box 216, [0011]), the combination is silent on the transceiver is further adapted to provide a communications link between said user terminal and another user terminal.

Barany teaches communications link between two users in an IP environment (fig. 1, VOIP telephony, col. 6 lines 1-6).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of the combination of Dorenbosch and Roberts by having the user terminals perform VOIP



Art Unit: 2666

telephony. Adhering to VOIP standards as taught by Barany can perform this modification. This modification would benefit the system by permitting a real-time voice conversation between two users.

***Allowable Subject Matter***

18. Claims 17, 18, 20, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

19. Applicant's arguments, see pg. 3-6, filed 8/24/2005, with respect to the rejection(s) of claim(s) 1, 8, 24, and 26 under 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the combination of Dorenbosch, Roberts, and Barany.

The indicated allowability of independent claims 15, 16, 23, and 25 has been removed in view of Dorenbosch, Roberts, and Phillips.

**Conclusion**

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (571) 272-3165. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*RA*  
Ronald Abelson  
Examiner  
Art Unit 2666

*Ron Abelson*  
10/28/05